DOCUMENT RESUME

ED 379 791 EA 026 542

AUTHOR Stedman, James B.
TITLE Goals 2000: Overview and Analysis. CRS Report for Congress.
INSTITUTION Library of Congress, Washington, D.C. Congressional Research Service.
REPORT NO CRS-94-490-EPW
PUB DATE 3 Jun 94
NOTE 51p.
PUB TYPE Reports - Descriptive (141)

EDRS PRICE MF01/PC03 Plus Postage.
DESCRIPTORS Educational Change; *Educational Improvement; *Educational Objectives; Elementary Secondary Education; *Federal Legislation; Federal Regulation; Federal State Relationship; Government Role; School Restructuring; *Standards; State Federal Aid
IDENTIFIERS *Goals 2000

ABSTRACT

Goals 2000: Educate America Act (P.L. 103-227) authorizes a range of initiatives for federal support of education reform. Its basic strategy is that of systemic reform guided by sets of agreed-upon educational goals and standards at each level of governance. An overview and analysis of the Act's basic provisions and authorizations is provided. Goals 2000 establishes eight National Education Goals to be accomplished by the year 2000, a National Education Goals Panel, a National Education Standards and Improvement Council, grants for the implementation of State systemic reform, waivers of requirements and regulations under designated Federal education programs, and a National Skills Standards Board. P.L. 103-227 includes other new authorities and provisions, such as: reauthorization of the U.S. Department of Education's Office of Educational Research and Improvement; a Safe Schools Act of 1994; parental information and resource centers; an educational technology effort including creation of an Office of Educational Technology; grants for "midnight basketball" leagues in disadvantaged communities; nonsmoking policies in federally supported educational institutions; and a required policy for expulsion of any student determined to have brought a weapon to school. The following issues were addressed during the consideration of Goals 2000: (1) the appropriate strategy for the reform of elementary and secondary education; (2) standards for providing students with learning opportunities; (3) unfunded federal mandates and federal control over education; and (4) conditions for success, which include maintaining broad support, providing sustained professional development, meeting technical challenges, and recognizing the importance of time in implementation. One table is included. (LMI)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

EA

94-490 EPW

ED 379 791

CRS Report for Congress

Goals 2000: Overview and Analysis

James B. Stedman
Specialist in Social Legislation
Education and Public Welfare Division

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
This document has been reproduced as received from the person or organization originating it.
Minor changes have been made to improve reproduction quality.
Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

June 3, 1994

BEST COPY AVAILABLE

CRS

Congressional Research Service • The Library of Congress

EA 026 542

BEST COPY AVAILABLE

GOALS 2000: OVERVIEW AND ANALYSIS

SUMMARY

Goals 2000: Educate America Act (P.L. 103-227) authorizes a range of initiatives for Federal support of education reform. Its basic reform strategy is **systemic reform** whose central tenet is that action to reform education should be guided by sets of agreed-upon educational goals and standards at **each level** of governance (national, State, local) in the education system. These reform actions should occur simultaneously.

The legislation establishes eight National Education Goals to be accomplished by the year 2000. To gauge progress toward the Goals, the legislation explicitly authorizes the existing National Education Goals Panel. A National Education Standards and Improvement Council is created, charged with certifying voluntary, national standards for curriculum content, standards for student performance relative to that curriculum content, and standards for identifying under what conditions students have had an opportunity to learn the curriculum content. This Council may also certify State content, performance, and opportunity to learn standards, as well as State assessments.

The legislation also authorizes grants for implementation of State systemic reform under which States will develop and implement reform plans, State content and performance standards, opportunity-to-learn standards or strategies, and assessments. It also includes authority for waivers of requirements and regulations under designated Federal education programs. To enhance the skills of those entering and already in the workforce, the Act creates a national board to establish occupational skill standards.

P.L. 103-227 includes other new authorities and provisions, such as: reauthorization of the U.S. Department of Education's Office of Educational Research and Improvement; a Safe Schools Act of 1994; parental information and resource centers; an educational technology effort including creation of an Office of Educational Technology; grants for "midnight basketball" leagues operating in disadvantaged communities; nonsmoking policies in federally supported educational institutions; and a required policy for expulsion of any student determined to have brought a weapon to school.

A number of issues were addressed during the consideration of Goals 2000. The Congress debated the appropriate strategy for reforming elementary and secondary education. Although the legislation provides primary support to systemic reform, it includes assistance for other strategies, such as public school choice and private or other alternative management of schools. Standards for providing students with an opportunity to learn were hotly debated. Proponents asserted that rigorous standards were a matter of equity; opponents countered that such standards imposed costly burdens and undercut systemic reform by focusing on resources, not outcomes. Goals 2000 includes opportunity-to-learn standards, but offers States the option of establishing "strategies" rather than "standards," and makes their implementation strictly voluntary.

Future success of the reform efforts enacted in Goals 2000 may depend upon several factors. These include maintaining broad public support for educational reform, providing adequate funding, offering sustained professional development to the teaching force, meeting certain technical challenges such as developing appropriate assessments, and recognizing that the reform processes supported by Goals 2000 will take time to implement.

TABLE OF CONTENTS

INTRODUCTION 1

BACKGROUND 1

OVERVIEW OF P.L. 103-227 3
- Title I--National Education Goals 4
- Title II--National Education Reform Leadership, Standards, and Assessments 4
  - Part A--National Education Goals Panel 4
    - Membership 4
  - Part B--National Education Standards and Improvement Council . . 5
    - National Standards 5
    - State Standards and Assessments 6
    - Prohibitions Concerning NESIC Certifications 7
    - General Responsibilities 7
    - Membership 7
    - Evaluation of NEGP and NESIC 8
  - Part C--Leadership in Educational Technology 8
    - National Long-Range Technology Plan 8
    - Office of Educational Technology 8
    - Technology-Related Grants or Contracts 9
- Title III--State and Local Education Systemic Improvement 9
  - State Applications 10
  - State Improvement Plans 10
    - Teaching, Learning, Standards, and Assessments 10
    - OTL Standards and Strategies 11
    - Governance, Accountability, and Management 11
    - Parental and Community Support and Involvement 11
    - Systemic Improvements 11
    - Bottom-Up Reform 12
    - Dropout Strategies 12
    - Coordination With School-To-Work Programs 12
    - Benchmarks and Timelines 12
    - Coordinating Strategies 12
    - Program Improvement and Accountability 12
    - Periodic Review 12
  - Approval of Plans and Applications by the Secretary of Education . 12
  - Uses of Funds by SEAs 13
    - Nonsectarian Nature of New Public Schools 13
  - Local Reform Subgrants 13
    - LEA Improvement Plan 14
    - Uses of Funds/Allocation to Individual Schools 14
  - Preservice Teacher Education and Professional Development Activities Subgrants 14
  - Private School Participation in Title III Activities 15
  - Statutory and Regulatory Waivers 15
    - First Waiver Authority 15

Second Waiver Authority 16
Accountability for Both Waiver Programs 17
Secretary's Reserved Funding 17
School Finance Equity Assistance 17
National Leadership 18
Reservation of Secretarial Funding for LEA Reform 18
Reservation of Secretarial Funding for Replicating Successful Coordinated Services Programs 18
Outlying Areas, BIA Schools, and Department of Defense Schools 18
State Planning for Technology Integration 19
State Plan Requirements 19
Federal Mandates and State/Local Control 20
Title IV--Parental Assistance 20
No Required Participation 20
Title V--National Skill Standards Board 21
Components Required in Skill Standards Systems 21
Required Coordination 21
Title VI--International Education Program 21
Title VII--Safe Schools 22
Authorized Activities 23
Secretary's Activities 23
Title VIII--Minority-Focused Civics Education 23
Title IX--Educational Research and Improvement 24
Part A--General Provisions Regarding the Office of Educational Research and Improvement 24
Part B--National Educational Research Policy and Priorities Board . 24
Part C--National Research Institutes 25
Field-Initiated Research 25
Minority Researchers and Institutions 25
Research and Development Centers 25
Part D--National Education Dissemination System 26
Office of Reform Assistance and Dissemination 26
Educational Resources Information Center Clearinghouses . . 26
Authorization of Appropriations 26
Regional Educational Laboratories 26
Goals 2000 Community Partnerships 27
Teacher Research Dissemination Demonstration Program . . . 27
Part E--National Library of Education 27
Part F--Star Schools 27
Part G--Office of Comprehensive School Health Education 28
Part H--Field Readers 28
Part I--Amendments to the Carl D. Perkins Vocational and Applied Technology Education Act 28
Title X--Miscellaneous 28
Part A--Miscellaneous Provisions 28
School Prayer 28
Funding for Individuals with Disabilities Education Act 28
National Board for Professional Teaching Standards 28
Forgiveness of Chapter 1 Overpayments 28
Study of Goals 2000 and Students with Disabilities 29

Amendments to Summer Youth Employment and Training Program 29
Protection of Pupils 29
Contraceptive Devices 29
Prohibition Against High-Stakes Use of Assessments 29
Use of Funds Only for Public Schools 30
National Assessment of Educational Progress Activities 30
Buy American 30
Part B--Gun-Free Schools 30
Part C--Environmental Tobacco Smoke 30
Part D--Midnight Basketball League Training and Partnership 30

FY 1994 AND FY 1995 AUTHORIZATIONS OF APPROPRIATIONS FOR P.L. 103-227 31

REFORM ISSUES 33
Systemic Reform and Alternatives 33
Systemic Reform 33
School Choice, Model Schools, and Other Strategies 35
School Choice 35
Model or Lighthouse Schools 36
Alternative Management--Privately Managed Public Schools and Charter Schools 36
Goals 2000 37
Unfunded Federal Mandates and Federal Control Over Education 38
Opportunity to Learn 40
Background 40
Legislative Debate 41
Necessary Conditions 41
Establishment 41
Implementation 41
Treatment in Goals 2000 42
Conditions for Success 42
Maintaining Broad Support 43
Adequate Funding 43
Professional Development for the Teaching Force 43
Technical Challenges 44
Time 44

LIST OF TABLES

TABLE 1. FY 1994 and FY 1995 Authorizations of Appropriations 31

GOALS 2000: OVERVIEW AND ANALYSIS

INTRODUCTION

Substantial Federal support for State and local efforts to achieve the National Education Goals through standard setting, curricular reform, new assessments, and professional development of the teaching force came closer to reality when President Clinton signed the Goals 2000: Educate America Act into law (P.L. 103-227) on March 31, 1994. The U.S. Department of Education's FY 1994 appropriations statute already contains $105 million for implementation of school reform portions of the Goals 2000 legislation. The President's FY 1995 budget request proposes $700 million for school reform authorized by this legislation, a level the President would raise to $1 billion a year, beginning in FY 1996.

This report reviews the background to the legislative action on Goals 2000, provides an overview of the provisions of the legislation, and considers issues involving the titles of the Act focusing on school reform (titles I, II, III, and V) that have been of interest to the Congress.[1] P.L. 103-227 provides that all titles, with the exception of titles V and IX, are to be cited as Goals 2000. Other Acts in this public law include the following: title III, section 311(e) is the Education Flexibility Partnership Demonstration Act; title V is the National Skill Standards Act of 1994; title VII is the Safe Schools Act of 1994; title VIII is the Minority-Focused Civics Education Act of 1994; title IX is the Educational Research, Development, Dissemination, and Improvement Act of 1994; title X, part B is the Gun-Free Schools Act of 1994; title X, part C is the Pro-Children Act of 1994; and title X, part D is the Midnight Basketball League Training and Partnership Act. For ease of description, unless otherwise noted, references in this report to Goals 2000 are references to the entire public law.

BACKGROUND

In 1990, President Bush and the Nation's Governors adopted six National Education Goals to be attained by the year 2000. Goals 2000 somewhat modifies those six and adds two new Goals (numbers 4 and 8 below). The Goals **now** provide that by the year 2000:

(1) "all children will start school ready to learn;"

(2) "the high school graduation rate will increase to at least 90 percent;"

---

[1]Much of the analysis in this report is based on: U.S. Library of Congress. Congressional Research Service. *Education Reform: Goals 2000 Legislation in the 103rd Congress*. CRS Issue Brief IB93105, coordinated by James B. Stedman. Washington, updated regularly.

(3) "all students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography, and every school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our Nation's modern economy;"

(4) "the Nation's teaching force will have access to programs for the continued improvement of their professional skills and the opportunity to acquire the knowledge and skills needed to instruct and prepare all American students for the next century;"

(5) "United States students will be first in the world in mathematics and science achievement;"

(6) "every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship;"

(7) "every school in the United States will be free of drugs, violence, and the unauthorized presence of firearms and alcohol and will offer a disciplined environment conducive to learning;" and

(8) "every school will promote partnerships that will increase parental involvement and participation in promoting the social, emotional, and academic growth of children."

Since 1990, the Congress has been considering the appropriate steps to be taken at the Federal level to help achieve these Goals.[2] Several reform strategies vied for congressional support during this period--systemic reform, model schools, and school choice were among these strategies. They are considered in the concluding section of this report.

---

[2]The following CRS reports review the activity by the 101st and 102d Congresses: U.S. Library of Congress. Congressional Research Service. *National Education Goals and Federal Policy Issues: Action by the 102d Congress*. CRS Report for Congress No. 92-884 EPW, by James B. Stedman and Wayne C. Riddle. Washington, 1992; *National Education Goals: Major Legislation Considered by the 101st Congress*. CRS Report for Congress No. 90-555 EPW, by Wayne Riddle, *et al.* Washington, 1990. During this period, the U.S. Department of Education, among other Federal agencies, provided funding to various groups for development of national curriculum content standards in different subject areas.

OVERVIEW OF P.L. 103-227

The primary elements of the new Goals 2000 law[3] focusing on education reform are the following:

- enactment into law of the National Education Goals;
- creation of the National Education Goals Panel (NEGP) to monitor progress toward the Goals, and the National Education Standards and Improvement Council (NESIC) to certify national and State standards and assessments;
- establishment and certification of voluntary national curriculum content standards,[4] voluntary national pupil performance standards,[5] voluntary national "opportunity-to-learn" (OTL) standards,[6] and voluntary State standards and assessments;[7]
- grants for implementation of State systemic reform under which States will develop and implement reform plans, State content and performance standards, OTL standards or strategies, and assessments;
- authority for waivers of requirements and regulations under designated Federal education programs; and
- creation of a national board to establish occupational skill standards.

These reform activities are authorized in titles I, II, III, and V.

---

[3]Briefly, the legislative history of the new law is as follows: H.R. 1804, the "Goals 2000: Educate America Act," was passed initially by the House on October 13, 1993. On February 8, 1994, the Senate passed H.R. 1804 with the text of S. 1150, as amended, inserted in lieu of the House language. On February 23, 1994, the House concurred with the Senate amendment with a further amendment. The conference version of the bill was approved by the House on March 23, 1994, and by the Senate on March 25, 1994. The President signed the bill into law on March 31, 1994, as P.L. 103-227.

[4]Goals 2000 defines "content standards" as "broad descriptions of the knowledge and skills students should acquire in a particular subject area."

[5]Goals 2000 defines "performance standards" as "concrete examples and explicit definitions of what students have to know and be able to do to demonstrate that such students are proficient in the skills and knowledge framed by content standards."

[6]Goals 2000 defines "opportunity-to-learn standards" in its definition section (section 3) as "the criteria for, and basis of, assessing the sufficiency or quality of the resources, practices, and conditions necessary at each level of the education system . . . to provide all students with an opportunity to learn the material in voluntary national content standards or State content standards." The criteria for certifying national OTL standards are more explicit than this definition. These criteria are described below in the discussion of NESIC.

[7]Goals 2000 defines the term "State assessment" as "measures of student performance which include at least 1 instrument of evaluation, and may include other measures of student performance, for a specific purpose and use which are intended to evaluate the progress of all students in the State toward learning the material in State content standards in 1 or more subject areas."

This section provides an overview of the provisions of P.L. 103-227. In general, the school reform titles are described in most detail.

Title I--National Education Goals

P.L. 103-277 enacts into law eight National Education Goals; adding two to the six originally adopted by President Bush and the Governors in 1990. The new Goals are numbers four (concerning professional development for teachers) and eight (concerning parental partnerships) listed above. Goals 2000 expanded the list of core academic subject areas covered by the third Goal as it was originally adopted in 1990, adding foreign languages, civics and government, economics, and art. In addition, the seventh Goal was modified by the legislation to include the unauthorized presence of firearms and alcohol.

Title II--National Education Reform Leadership, Standards, and Assessments

This title authorizes establishment of the NEGP and NESIC. It also includes a new authority concerning educational technology policymaking in ED. Part D of the title includes specific authorizations of appropriations for different activities in title II. Each of these funding authorities is listed in the discussion of its relevant programs or activities.

Part A--National Education Goals Panel

Goals 2000 establishes NEGP in the executive branch. This panel is already in existence, having been created by agreement between the National Governors' Association and the Bush Administration in 1990. It has issued annual reports on progress toward the National Education Goals. For NEGP, Goals 2000 authorizes an annual appropriation of $3 million for FY 1994 and such sums as necessary for FY 1995-FY 1998.

Among NEGP's responsibilities are:

- reporting on national and State progress toward achievement of the Goals, on State OTL standards and strategies, on State progress to assist all students in achieving State content and performance standards, and on effective national, State, and local activity to achieve the Goals;
- submitting nominations to the President for appointments to NESIC; and
- reviewing the certification criteria and standards certified by NESIC with an option of disapproving such criteria and standards.

Membership. Goals 2000 provides NEGP with 18 members: 2 from the Administration (appointed by the President), 8 Governors (3 from the President's political party), 4 members of the United States Congress (1 each selected by the House and Senate Majority and Minority Leaders), and 4 members of State legislatures (appointed by the National Conference of State Legislatures--2 of the members must be from the President's political party). Prior to enactment of Goals 2000, NEGP's membership did not include members of State legislatures. Members who are elected State officials may not join in

the Panel's consideration of content, performance, or OTL standards developed by their States.

NEGP is specifically directed to support efforts by its Resource and Technical Planning Groups on School Readiness to strengthen methods of assessing children's readiness for school.

Part B--National Education Standards and Improvement Council

Part B establishes NESIC within the executive branch to oversee the development and certification of standards and assessments. NESIC has separate responsibilities concerning **National** and **State** standards. Goals 2000 authorizes an annual appropriation of $3 million for FY 1994 and such sums as necessary for FY 1995-FY 1998.

National Standards. NESIC's responsibilities regarding voluntary **national** standards include:

- identifying content areas meriting national standards;
- developing certification criteria for national content, performance, and OTL standards (these must be submitted to NEGP for review);
- certifying national content, performance, and OTL standards (certified content and performance standards must be submitted to NEGP for review); and
- developing a process for periodic review of certified national standards.

One of the more controversial features of the legislative debate on Goals 2000 were the **OTL standards** (see analysis in *Issues* section below). NESIC is authorized to certify **National** OTL standards. To be certifiable, these standards must address:

- quality and availability of curricula, instructional materials, and technologies;
- the capacity of teachers to address students' diverse educational needs;
- access of teachers and other educators to professional development activities;
- alignment of curriculum, instruction, and assessments to national content standards;
- adequacy of school facilities, including libraries, laboratories, and other resources necessary for achieving OTL; and
- the extent to which schools' policies, practices, and curricula assure freedom from gender discrimination.

Further, national content, performance, and OTL standards may be certified by NESIC **only** if the standards could be used by States without limiting State and local control over curriculum and instructional methods.

Goals 2000 authorizes the Secretary of Education to award grants to consortia for development of voluntary, national OTL standards. Such consortia are to be composed of, among others, State and local policymakers, teachers, parents, business representatives, school finance experts, and experts in the education of at-risk students. A third of the membership must have expertise in the educational needs and assessment of low-income, minority, limited-English proficient, or disabled students. Further, the membership of each consortium must reflect the racial, ethnic, and gender diversity of the United States. The standards are to be developed through a process involving more than one draft and the incorporation of comments of educators and other knowledgeable persons on a nationwide basis. For these grants, Goals 2000 authorizes the appropriation of $2 million for FY 1994 and such sums as necessary for FY 1995.

State Standards and Assessments. With regard to **State** standards, NESIC is **permitted** to certify voluntarily submitted State content, performance, and OTL standards under the criteria it develops for certifying national standards.

NESIC is also **permitted** to certify, for a period of up to 5 years, assessments voluntarily submitted by States. Certification is to be limited to assessments that are to:

- provide information about all students' progress toward State standards;
- improve classroom instruction and student outcomes;
- demonstrate expected levels of achievement for all students;
- provide an incentive for increased educational performance; and
- help educational policymaking.

Further, for their assessments to receive NESIC certification, States must:

- demonstrate that assessments cover only content in which all students have been prepared;

- not use these assessments for high-stakes purposes (i.e., determining graduation, grade promotion, or grade retention) for 5 years following enactment of the legislation;[8]

- submit information about the assessments, such as evidence that the test, or tests, being used are valid and reliable for their applications, are aligned with State content standards, can gauge all students' progress toward the standards, and are consistent with nationally recognized professional and technical standards for assessments; and

---

[8]Title X also contains a similar provision prohibiting use of any assessments developed with title III funds from being used for high-stakes purposes for a 5-year period following enactment of the legislation. Further, it provides that such assessments may be used for high-stakes uses only if students have been prepared in the content being assessed.

- apply the assessments to all students, with necessary adaptations and accommodations to do so.

The new law provides that NESIC is to develop and begin applying criteria for certifying assessments during the fourth year after enactment of the legislation.

The Secretary of Education is authorized to make grants to SEAs, LEAs, or consortia of such agencies, for development and evaluation of State assessments aligned with NESIC-certified State content standards. Any State assessment supported with these funds cannot be used for high-stakes purposes, including an individual's placement in a program or an individual's employment, until 5 years after enactment of this legislation. Goals 2000 authorizes the appropriation of $5 million for FY 1994 and such sums as necessary for FY 1995-FY 1998.[9]

Prohibitions Concerning NESIC Certifications. Part B of title II also prohibits NESIC certification of State content, performance, or OTL standards or its assessment **as a prerequisite** for participating in any education program under Goals 2000 or any other Federal law. Further, it provides that no provision in the legislation can be construed as giving an individual a legally enforceable right against an SEA or a school based on a NESIC-certified standard or assessment.

General Responsibilities. NESIC is required to:

- issue annual reports on its work;
- secure broad public input in development of standards, and assessment criteria;
- work with entities on internationally competitive standards and assessments;
- enter into an agreement with the National Skill Standards Board (NSSB--see discussion of title V below) for coordination of the development of the skill standards under NSSB's responsibility; and
- regularly update certification criteria, and periodically recertify, as appropriate, standards and assessments.

Membership. Membership in NESIC is to be determined by the President from individuals nominated by the Secretary of Education, the House Speaker, the Senate Majority Leader, and NEGP. NESIC is to be made up of 19 members drawn from 4 categories--professional educators; business and labor; the public, among them parents and representatives of advocacy, civil rights, and disability groups; and education experts, including experts in assessment, curriculum, school finance and equity, and school reform. At least one-third of the Council's members must have expertise in the educational needs of low-income, minority, limited-English proficient, or disabled children. Appointments

[9]The Secretary is also authorized to use these funds to support technology-related activities authorized by title II, part C.

to NESIC must include at least one representative of postsecondary education, one of organized labor, and one of business who must also be a member of NSSB. Further, the NESIC chairman, selected by the NESIC membership, is to be an ex officio, nonvoting member of the NSSB.

A NESIC member may not concurrently serve on NEGP. Further, Council members may not participate in certification consideration of standards and assessments submitted by States in which they reside.

Evaluation of NEGP and NESIC. From funds appropriated for State systemic reform activities under title III and reserved for the Secretary, up to $500,000 is to be awarded to either the National Academy of Sciences or the National Academy of Education for an evaluation of the technical quality of NEGP's and NESIC's activities, NESIC's process of developing certification criteria, NESIC's certification process, and NEGP's process of approving certification criteria and national standards. Not later than January 1, 1998, the grantee is to issue a final report.

Part C--Leadership in Educational Technology

National Long-Range Technology Plan. Within 12 months of enactment of Goals 2000, the Secretary of Education is to develop and publish a national long-range technology plan. In developing this plan, the Secretary is to consult with other Federal entities, and, among others, State and local educators and policymakers, experts in technology and applying technology to education, and representatives of partnerships receiving Star School Program Assistance funding.[10] The Secretary is also to provide support to States for effective planning for technology use in all schools.

The plan must describe the Secretary's efforts to apply technology broadly to education, including efforts to provide all students with the opportunity to meet State standards, to increase high-poverty schools' access to technology, and to increase professional development opportunities for teachers in technology utilization. It must also describe joint activities with other Federal entities to promote technology use and for educational applications of the national information infrastructure, and how to determine whether guidelines on data exchange and effective use of technology are realistic and desirable. Finally, it must include long-range goals and objectives.

Office of Educational Technology. Goals 2000 establishes an Office of Educational Technology (OET) in ED, to be administered by a Director of Educational Technology. OET's responsibilities include providing national leadership in technology use for achieving the National Education Goals and enhancing all students' opportunities to achieve State content and performance standards. OET is also to promote greater use of technology and planning related to technology in all ED programs and training activities; and ensure that all relevant ED programs are coordinated with the national long-range technology plan.

---

[10]The Star Schools Program Assistance Act, title IX of the Education for Economic Security Act, provides Federal support for educational telecommunications facilities and programming.

Technology-Related Grants or Contracts. From funds authorized for the assessment development and evaluation grants (see description of NESIC's activities above), the Secretary is to make competitive grants, or enter into competitive contracts, to support technology-related activities. These may require some cost-sharing to be determined by the Secretary, but not to exceed 50 percent of the cost. Among the activities that can be supported are:

- creation of guidelines to make data exchange and computer connections easier;
- demonstration of models for strengthening teachers' capacity to use technology;
- development and evaluation of educational software; and
- encouragement off collaboration between ED and other Federal entities.

Goals 2000 also transfers the Office of Training Technology Transfer to OET from ED's Office of Educational Research and Improvement (OERI).

Title III--State and Local Education Systemic Improvement

Title III primarily authorizes a formula grant program to support State and local efforts to engage in systemic education reform.[11] The State systemic reform program allocates funds by formula to SEAs for development of education improvement plans and for support of reform activities by LEAs and schools. Participating States are required to develop content and performance standards and OTL standards or strategies, as well as appropriate assessments. As noted above, States do not have to have these standards or strategies certified by NESIC. Generally, the bulk of each State allocation is to support reform efforts in local schools districts that have developed local improvement plans, and in individual schools.

For State and local systemic reform, title III authorizes the appropriation of $400 million for FY 1994 and such sums as necessary for FY 1995-FY 1998. One percent of the annual appropriation is reserved for the outlying areas, Bureau of Indian Affairs (BIA) schools, and for the benefit of Alaska Native students. Not more than 5 percent of the annual appropriation is reserved for national leadership activities (described below), costs of peer reviewing State improvement plans and applications, and the evaluation of NEGP and NESIC authorized by title II (see above). The remaining funds are allocated to each SEA based on its share of amounts allocated in the preceding fiscal year under chapter 1, title I, ESEA, and under part A, chapter 2, title I, ESEA.[12]

---

[11]In general, systemic education reform calls for establishment of educational goals and standards, and alignment of all elements in the educational system with those goals and standards. Change is expected to occur throughout the system simultaneously. The term is defined further and analyzed in the concluding section of this report.

[12]The first program provides support for compensatory education of educationally disadvantaged students. Its funds are allocated primarily on the basis of numbers of children living in poverty. The second is an education block grant program supporting a variety of activities such as the acquisition of instructional materials and innovative programs for school improvement. Its funds are allocated to States based on school-aged population.

State Applications

Among the assurances that an SEA's application for title III assistance must provide are that the SEA will inform the Secretary about progress in implementing the State improvement plan, and that the State content and performance standards are at least as rigorous as standards previously in place.

A State's application for its **first year** of title III funding must describe how the SEA will develop a State improvement plan and use its funding, including subgrants to LEAs and professional development subgrants. State applications for the **second year** of assistance must cover the second through fifth years of participation, include the State improvement plan or a statement of the steps to be taken to complete the plan, and a description of how it will use its funding, including subgrants to LEAs and for professional development.

State Improvement Plans

A State improvement plan must be developed by a **State panel** that includes, among its members, the State governor; chief State school officer; chairs of the State board of education and relevant authorizing committees in the State legislature; educators successful in improving student achievement; educational measurement experts; and representatives of a broad range of entities and individuals such as teacher's organizations and parents. Panel members are appointed jointly by the governor and the chief State school officer. As much as possible, panel members are to be geographically representative of the State, as well as representative of its racial, ethnic, gender, and disability diversity. The minimum share of panel members with expertise in the educational needs or assessments of low-income, minority, limited-English proficient, or disabled children must be the lesser of the share that all such children is of all children in the State, or one-third of panel membership.

The State panel must broadly involve the public across the State in its work. Once a plan is developed, the panel must provide for public comment. The plan is to be submitted to the SEA for approval. The SEA, in turn, submits the original plan and a modified plan, if the SEA made changes to the original, to the Secretary of Education. The panel is **not** responsible for monitoring implementation; rather, the task is assigned to the SEA. The SEA is to keep the panel informed about progress; the panel is to determine any necessary revisions to the plan.

Each State plan must address a number of broad aspects of education. These include the following:

Teaching, Learning, Standards, and Assessments. Each State plan must include strategies for meeting the Goals by improving achievement in core content areas, such as those identified for Goal three (see above). Among these strategies **must** be processes to:

- develop or adopt State content and performance standards;
- develop and implement valid, nondiscriminatory, and reliable State assessments that are aligned with content standards, use multiple measures of performance, include students with diverse learning needs, and are consistent with national professional and technical standards for assessments;
- align curricula, instructional materials, and assessments with State content and performance standards; and
- familiarize teachers with content and performance standards and develop their capabilities in the core subject areas.

Among the strategies in the State plan **may** be processes to assess the effectiveness and equity of the State's school finance program; and provide requisite professional development opportunities to teachers using technology and distance learning.

OTL Standards and Strategies. Each State's improvement plan must establish OTL standards **or** strategies that include factors the State considers appropriate for giving all students a fair opportunity to acquire the knowledge and skills called for in the State content and performance standards.

Implementation of OTL standards or strategies is voluntary for States, LEAs, and schools. Further, Goals 2000 states that its provisions on State OTL standards and strategies cannot be interpreted as requiring equalized spending per pupil in a State, LEA, or school, or as requiring creation of national school building standards to be applied to a State, LEA, or school. Further, the legislation provides that, regardless of any other title III provision, no State standards or assessments included in a State improvement plan are required to be certified by NESIC.

Governance, Accountability, and Management. A State improvement plan must provide for strategies that improve the governance, accountability, and management of education. Such strategies may include alignment of responsibility, authority, and accountability; and a structured process to recruit and retain teachers and provide them with professional development. For the latter, particular attention is to be paid to recruitment and retention of qualified minorities.

Parental and Community Support and Involvement. A State improvement plan must include strategies for involving parents and community representatives in the preparation of the State plan and its implementation. Among the activities these strategies may include is the expansion of students' access to social and health services through "one-stop" shopping by locating these services in convenient sites, including schools.

Systemic Improvements. A State improvement plan must include strategies to give students across the State a chance to achieve the State's standards. Among the activities such strategies may involve is ensuring equal access for all LEAs to curricular materials, educational technology, including distance learning, and professional development.

Bottom-Up Reform. A State improvement plan must include strategies so that systemic reform expands from local communities, LEAs, and schools, with guidance from State leaders. Such strategies may include granting flexibility to schools and LEAs, and making it easier to waive State regulations that impede LEA and school efforts to achieve local improvement plans.

Dropout Strategies. A State improvement plan must have strategies to help LEAs and schools meet the needs of school-aged dropouts, return such dropouts to school, and help them meet State standards.

Coordination With School-To-Work Programs. Any State that has received Federal funds for planning or implementing a school-to-work program must describe in its State improvement plan how the school-to-work program will be incorporated into the State's education reform.

Benchmarks and Timelines. A State improvement plan must include benchmarks of student performance improvement and implementation of the State plan, as well as timelines for measuring State progress in implementing the plan.

Coordinating Strategies. A State improvement plan must have strategies for coordinating integration of academic instruction and vocational education instruction under the Carl D. Perkins Vocational and Applied Technology Education Act.

Program Improvement and Accountability. A State improvement plan must describe how the State will monitor progress in implementing State and local improvement plans, and how it will improve schools that fail to achieve State content standards within established timelines.

Periodic Review. A State improvement plan must have a process for periodic review and update of State content and performance standards, OTL standards or strategies, and assessments.

Approval of Plans and Applications by the Secretary of Education

To approve a State plan and funding application, except for the initial application, the Secretary must use a peer review process. The Secretary is to approve a State improvement plan if (1) such plan is submitted no later than 2 years after the SEA received its initial funding, and, (2) after considering comments from the peer review process, the Secretary determines that the plan reflects a statewide commitment, is likely to promote high achievement by all students, provides for the requisite standards and strategies, and permits sufficient local flexibility for reform to come from the "bottom up."

An SEA must periodically review its improvement plan and revise it, if needed, using the procedure outlined for initial development of the plan (see above regarding the role of plan panel). Major amendments are to be reviewed by the Secretary who cannot disapprove them without offering the SEA a chance to revise them and have a hearing.

If a State already has an improvement plan meeting the intent of the legislation, it may be approved even if it was not developed following the statutory procedures. Further, under defined conditions, a panel not meeting the statutory requirements can participate in this program if requested by the State governor and its SEA.

Uses of Funds by SEAs

If in the initial year of an SEA's funding, the total annual appropriation is at least $50 million, a minimum of 60 percent of the funding must be used for local reform subgrants and for professional development subgrants (see description below). Subgrants are **permissive** in the initial year of funding if the total annual appropriation is less than $50 million (the FY 1994 appropriation exceeds this level). Remaining funds in the initial year are to be used to develop and implement the State improvement plan. In succeeding years of SEA funding, at least 90 percent of the State allotment must be used for subgrants. Remaining funds must be used for activities to implement the State improvement plan.

Among eligible activities to implement a State plan, an SEA may:

- develop State content, performance, and OTL standards, and assessments;
- implement management-improvement strategies (e.g., shared decisionmaking);
- develop better ways to recruit, support, and reward teachers;
- assist minority, limited-English proficient, disabled, and female students;
- support efforts to improve teachers' ability to identify students' learning needs;
- develop accountability and reward systems for schools;
- provide educational outreach and training to parents and others;
- increase the reform capacity of LEAs and schools;
- promote public school choice, including magnet and charter schools;
- support planning and evaluating of private management of public school reform;
- support intergenerational mentoring programs;
- support school-based programs to reduce violence; and
- collect and analyze data.

An SEA cannot use more than the greater of 4 percent of its allotment or $100,000 for administrative expenses.

Nonsectarian Nature of New Public Schools. In the event the SEA establishes new public schools with its funds, those schools must be nonsectarian, not affiliated with a sectarian school or religious institution, and be under the authority of an SEA or LEA.

Local Reform Subgrants

An SEA must make competitive subgrants to LEAs for reform.[13] Annually, at least one subgrant must be made to an urban LEA and one must be made to a rural LEA. An LEA can receive only one subgrant to develop a local improvement plan.

---

[13]The legislation does not identify the portions of the subgrant funding that must be awarded as local reform subgrants and as preservice teacher education and professional development activities subgrants.

LEA Improvement Plan. To receive a subgrant to implement a local improvement plan, an LEA must submit a local improvement plan to the SEA. The local plan must be developed by an LEA-appointed panel that represents the racial, ethnic, language, gender, disability, and socioeconomic diversity of the students and the community, and includes, among others, teachers, parents, and business representatives. The plan must also address OTL, teaching, learning, governance, management, parental and community involvement. With regard to deregulation, the plan must support local school flexibility enabling schools to meet their own needs, consistent with local improvement plans; and identify State or Federal requirements that impede educational reform and that should be waived. Development and implementation of the plan must involve extensively the local community. Finally, the plan must describe how the LEA will work to meet broad needs of students and their families through partnerships with nonprofit agencies to provide coordinated services at schools or sites near schools.

The improvement plan must be approved by the LEA and forwarded to the SEA. The local plan panel is to be informed about progress toward implementation of the plan, and is to recommend needed revisions to the LEA.

Uses of Funds/Allocation to Individual Schools. The bulk of local reform funds must be awarded to local schools. In the first year of funding, an LEA must direct up to 25 percent of its funds to development of the local plan or activities related to implementing the State or local plan, including establishing innovative public schools. At least 75 percent of the subgrant funds in the initial year must be provided to efforts to improve individual schools. In subsequent years, at least 85 percent of these funds must be awarded to individual schools for development and implementation of school improvement plans directed to attainment of the State standards.

Of the funds made available to individual schools, at least half must be awarded to schools with special needs as measured by high numbers or percentages of students from low-income families, low student achievement, or other similar criteria. Not more than 5 percent of an LEA's funds can be used for administrative expenses. The SEA must give special consideration in awarding subgrants to consortia of LEAs or to LEAs that will award funds to consortia of schools.

Preservice Teacher Education and Professional Development Activities Subgrants

An SEA must make competitive, peer-reviewed subgrants to LEAs or consortia of LEAs cooperating with higher education institutions or nonprofit organizations.[14] These subgrants are to be used to improve preservice teacher education programs, and provide sustained professional development for educators, school administrators, or personnel providing services to disabled students. Priority must be given to providing subgrants to LEAs or consortia of LEAs serving a number or percentage of disadvantaged students above the Statewide average; forming partnerships with college-level educators to establish professional development sites; or focusing on strengthening teachers' content knowledge

[14]The legislation does not identify the portions of the subgrant funding that must be awarded as local reform subgrants and as preservice teacher education and professional development activities subgrants.

or on teachers of limited-English proficient and disabled students. At least half of the funds must be awarded to LEAs with a percentage or number of disadvantaged children greater than the State average for all LEAs. This requirement may be waived if the numbers of applications are not sufficient to comply.

Private School Participation in Title III Activities

In proportion to the number of children in a State or LEA who are enrolled in private schools, the SEA or LEA is to provide information to such schools concerning goals, standards, materials, and assessments. If an SEA or LEA uses funds for teacher and administrator training, such training is to be provided to teachers and administrators in private schools. The Secretary is to arrange for provision of training if State law prohibits an SEA or LEA from doing so itself, or if an SEA or LEA has failed to provide for such participation.

Statutory and Regulatory Waivers

Goals 2000 authorizes two programs under which SEAs and LEAs may secure waivers of the requirements of specified Federal statutes.

First Waiver Authority. Under the first authority, the Secretary of Education is **permitted** to waive any statutory or regulatory requirement of any designated Federal programs for an SEA, LEA, or school (see below), if four conditions are met:

- Federal requirements obstruct an SEA, LEA, or school from implementing a State or local improvement plan developed under title III of Goals 2000;
- the SEA has waived, or has agreed to waive, similar State law requirements;
- in the event a **statewide** waiver is sought, the SEA must provide all LEAs and parent organizations with advanced notice and an opportunity to comment on the SEA's waiver request, and the SEA must provide all comments from LEAs to the Secretary of Education; and
- in the event an **LEA** waiver is sought, the LEA has given parents, community groups and advocacy/civil rights groups an opportunity to comment.

Applications for waivers under this first authority can be prepared by LEAs or schools receiving funding under title III of Goals 2000, as well as LEAs and schools engaged in school reform determined by the Secretary to be comparable to those called for in Goals 2000. These applications are to be sent to the SEA which, in turn, will submit approved applications to the Secretary of Education. An SEA receiving funding under title III of Goals 2000 may also request waivers by submitting an application to the Secretary of Education.

Applications to the Secretary must identify the statutory or regulatory requirements that are to be waived and goals the SEA, LEA, or school intend to achieve; and must

include descriptions of the steps taken by the SEA to waive State statutory and regulatory requirements identified by LEAs, the waiver's goals and anticipated results, the number and type of students to be affected by the waiver, the timetable for implementing the waiver, and SEA monitoring on a biannual basis of the implementation of the waiver.

The **duration** of a waiver granted under this first authority may not exceed 4 years, but an extension is possible if the Secretary determines the waiver enabled the State or LEA to implement reform plans.

The specific **Federal education programs encompassed by the waiver authority** are:

- chapter 1, title I, ESEA (including the Even Start program);[15]
- part A, chapter 2, title I, ESEA;[16]
- the Dwight D. Eisenhower Mathematics and Science Education Act;
- the Emergency Immigrant Education Act of 1984;
- Drug-Free Schools and Communities Act of 1986; and
- Carl D. Perkins Vocational and Applied Technology Education Act.

Requirements of these programs that may **not** be waived include:

- maintenance of effort;
- comparability of services;
- participation of private school students and staff;
- parental participation; and
- the funding allocation process to States or LEAs.

Further, although a waiver may be granted, the purposes of the statutory requirement being waived must continue to be met.

The Secretary is to conduct **periodic reviews** of the activities of any State, LEA, or school granted a waiver. The waiver is to be terminated if such review indicates that the performance does not warrant continuation.

Second Waiver Authority. The second waiver authority, to be cited as the Education Flexibility Partnership Demonstration Act, provides that the Secretary of Education **may** grant waiver authority to States. This demonstration would involve up to six SEAs granted the authority to waive statutory or regulatory requirements under the Federal programs listed above for the first waiver authority. These SEAs may waive these requirements for themselves or any LEA or school within their State.

---

[15]Chapter 1 authorizes Federal funds for the compensatory education of educationally disadvantaged students.

[16]This statute authorizes a State-level education block grant supporting such activities as the acquisition of instructional materials and teacher training.

Three of the SEAs chosen to participate must be in States with populations of at least 3.5 million persons; three must be in States with populations below that level. Each participating State is to be known as an "Ed-Flex State." To be eligible, a State must have a State improvement plan approved by the Secretary under title III of Goals 2000. It also must have waived State statutory or regulatory requirements but held LEAs or schools accountable for the performance of those students affected by the waivers. An SEA's application must demonstrate that the State has adopted a flexibility plan that includes a process for evaluating LEA or school applications for waivers, and describes the State requirements that will be waived.

Secretarial approval of a State's application for this second waiver authority must be based on a determination that there is substantial promise that the SEA, LEAs, and schools will be helped to implement educational reform. The Secretary must consider the comprehensive nature of the State plan, assurances of accountability, the importance of the State requirements that will be waived, and the quality of the State's process for approving requests to waive Federal requirements and monitoring results.

An LEA or school requesting a waiver is to apply to the SEA identifying, among other information, the Federal program involved in the waiver; the purposes of the waiver; and annual, quantifiable goals for each LEA or school affected by the waiver. An SEA can approve a waiver only if the LEA or school requesting it has a local reform plan and the waiver will help it achieve its educational goals.

SEAs participating in this flexibility demonstration must annually monitor the LEAs and schools receiving waivers and report to the Secretary of Education.

The **duration** of approval for an SEA's participation in the demonstration program is for a period not to exceed 5 years. This period may be extended if the Secretary determines that the waivers granted by the SEA have helped in the implementation of local reform plans. The Secretary must periodically review SEA implementation of this program and terminate an SEA's authority to grant waivers in the event the agency's actions do not justify continuation.

Accountability for Both Waiver Programs. Extensions of waivers under either authority are to be based on whether the SEA, LEA, or school receiving the waiver has made progress toward the outcomes identified in the relevant applications. The Secretary must publish in the *Federal Register*, and disseminate to designated groups and entities a notice of the decision to grant waivers under the first authority or the decision to permit SEAs to grant waivers under the second authority.

Secretary's Reserved Funding

From the 5 percent of title III funds reserved for activities by the Secretary, the following can be implemented:

School Finance Equity Assistance. Funds can be awarded to SEAs and other public or private entities to provide technical assistance in order to achieve greater equity in the

distribution of resources among LEAs. The technical assistance may include creation of technical assistance centers, conferences on resource equalization, and advice from school finance equalization experts. Any SEA or LEA receiving ESEA fu: ling is required to provide any requested data on school finance to the Secretary. Further, the Secretary may support development and dissemination of models and materials that will help States revise their school finance systems.

National Leadership. The Secretary may provide technical assistance on reform to States, LEAs, and tribal agencies implementing reform plans; conduct research and evaluate systemic education improvement; disseminate findings and ex:nples of systemic education improvement; support coordination between school reform plans of the Bureau of Indian Affairs (BIA) and public school reform plans; support national demonstrations involving collaboration among SEAs, higher education institutions, government, business, and labor; and support of models that integrate NESIC-certified standards in different subject areas.

Reservation of Secretarial Funding for LEA Reform. At least half of the Secretary's reserve funds must be used for grants to LEAs for reform activities in accordance with the provisions governing the LEA reform subgrants described above, and for assistance to urban and rural LEAs with large numbers or concentrations of economically disadvantaged or limited-English proficient students.

Reservation of Secretarial Funding for Replicating Successful Coordinated Services Programs. Not less than $1 million of the Secretary's reserve funds must be used to reproduce successful coordinated services programs and disseminate information about such programs.

Outlying Areas, BIA Schools, and Department of Defense Schools

Funds reserved for the outlying areas are to be distributed according to relative needs. These funds are **not** to be consolidated with other Federal education assistance under provisions of P.L. 95-134, which would otherwise authorize such consolidation.

With regard to funds reserved for the Secretary of the Interior for BIA schools, the Secretaries of Education and Interior must enter into an agreement to establish a panel for development of a system-wide reform plan for BIA schools. This plan must include provisions that assist students in meeting the National Education Goals, meet requirements for State improvement plans, and provide for restructuring of BIA schools. Further, the Secretary of the Interior must reserve up to $500,000 from the funds allocated for BIA schools for an analysis of the costs of meeting the Bureau's standards. This analysis is to be conducted by either the National Academy of Sciences or the National Academy of Education.

The Secretary of Education must consult with the Secretary of Defense to ensure that the purposes of title III are applied to Department of Defense schools.

State Planning for Technology Integration

In order to help States plan effectively for the integration of technology into educational activities, Goals 2000 authorizes the Secretary of Education to allocate funds to States based on the same formula used to allocate title III systemic reform funds to States. No State is to receive less than $75,000. The authorization of appropriations is $5 million for FY 1994.

State Plan Requirements. The State technology plan must be developed by a task force that includes experts on the use of technology in education and members of the State panel that developed the State improvement plan funded under title III. The technology plan must also be integrated into the State improvement plan. Among other requirements, the technology plan must:

- be developed in collaboration with a broad array of persons and groups, including the State governor, State legislators, LEAs, telecommunication entities, parents, libraries, and adult literacy providers;
- identify the requirements, including installation and maintenance, of introducing advanced technology into school classrooms and libraries;
- describe how use of advanced technologies in schools will improve students' academic achievement, individualize instruction, and make progress toward the State standards and strategies and the National Education Goals;
- estimate the funding needed and establish a schedule for developing and implementing the plan;
- describe how the SEA and LEAs will cooperate with business, industry, and telecommunications entities;
- describe how the SEA will encourage purchase by LEAs of technology equipment most capable of being interconnected and modified;
- describe how the SEA will apply technology to meet the needs of low-income children; and
- describe how the SEA will support collaboration among State literacy resource centers, LEAs, and adult/family literacy providers to make technology available for literacy providers after school hours.

An SEA receiving planning funds must report to the Secretary, within a year of submitting its technology plan, about the implementation of the plan.

Federal Mandates and State/Local Control

Title III includes a number of provisions to limit Federal direction or influence on State and local education decisionmaking power. Goals 2000 provides that no provision of the legislation can be construed to authorize a Federal employee to mandate, direct, or control a State's, LEA's, or school's curriculum or instructional program, or the allocation of funding allocation of State or local funds;[17] or to require any State or lower level of government to spend funds or incur costs not paid for by this legislation.

The new law also includes a congressional reaffirmation that responsibility for the control of education is reserved to States and localities. Further, the Congress agrees that there will be no action under Goals 2000 that directly or indirectly imposes standards or requirements that would adversely affect or change State and local responsibility for education.

Title IV--Parental Assistance

Title IV authorizes the Secretary of Education to award funds to nonprofit organizations and to such organizations in consortia with LEAs to establish parental information and resource centers. Such sums as necessary are authorized to be appropriated for title IV for FY 1995 through FY 1998.

These centers will provide training and information to parents of children up to the age of 5, parents of elementary and secondary school children, and persons working with such children. Among other requirements, an eligible grantee must use half of its title IV funds to serve severely disadvantaged parents in areas with high concentrations of low-income families; establish networks with other relevant organizations including parent centers under the Individuals with Disabilities Education Act; and use a portion of its funding to implement Parents as Teachers programs or Home Instruction for Preschool Youngsters programs.

No Required Participation. A provision in this title stipulates that no parent educating a child at home, and no parent of a child in a public or private school can be required to participate in a parent education program supported under title IV. Further, the legislation states that no assisted program can encroach on a parent's right to educate a child. Finally, section 438(c) of the General Education Provisions Act, concerning privacy rights of students in surveys and data collection, is applied to organizations aided under this title.

---

[17]Current law, section 432 of the General Education Provisions Act, provides for a prohibition against any Federal entity or employee controlling any educational institution's curriculum, instructional program, administration, personnel, or selection of instructional and library materials.

Title V--National Skill Standards Board[18]

Title V of Goals 2000 establishes the National Skill Standards Board (NSSB) to facilitate national voluntary occupational standards and certification. This title is to be cited as the National Skill Standards Act of 1994. Appointed by the President and Congress, members of NSSB are to represent relevant Federal Agencies, business and industry, labor, and other institutions such as education and training organizations. Initially headed by one of its business members, the Board will identify broad clusters of occupations for which skill standards systems will be developed and facilitate the establishment of voluntary partnerships (representing employers, employees, and other individuals and entities such as educational institutions), which will actually develop skill standards systems for each cluster. The NSSB must terminate September 30, 1999.

For the NSSB, the Act authorizes $15 million for FY 1994 and such sums as may be necessary for FY 1995 through FY 1999. The Administration has requested $12.4 million for skill standards in the Department of Labor's FY 1995 budget.[19]

Components Required in Skill Standards Systems. The National Board is authorized to devise criteria and to endorse skill standards systems that the voluntary partnerships develop. Apparently any system that the Board endorses must have various components including:

- voluntary skill standards,
- voluntary assessment and certification system,
- methods for disseminating and promoting the use of the skill standards,
- methods for evaluating the use of the standards, and
- an apparatus for updating and revising skill standards.

Required Coordination. The legislation provides for coordination between skill standards and national voluntary educational content and student performance standards authorized in title II of Goals 2000 by requiring that the NESIC chair be a member of the NSSB, that the Board's endorsed skill standards "take into account" the national voluntary standards, and that the NSSB establish "cooperative arrangements" with the NESIC to provide for coordination.

Title VI--International Education Program

This title authorizes support for comparative analyses of foreign educational systems, in particular those in Great Britain, France, Germany, and Japan. This activity is authorized $1 million for FY 1995 and such sums as necessary for FY 1996-FY 1999.

---

[18]This description was written by Richard N. Apling of the CRS Education and Public Welfare Division.

[19]In October 1992, the Departments of Labor and Education awarded grants totaling $4.7 million to 13 national trade associations and education groups to develop and implement voluntary skill standards for industries such as tourism, metalworking, electronics, health sciences, retail sales, and printing. These projects are scheduled for completion by October 1995.

Further, the Secretary of Education, in consultation with the Director of the United States Information Agency, is to implement the International Education Exchange Program. Under this program, the Secretary is to support organizations with experience in international achievement comparisons for the following activities involving eligible countries.[20] Among these activities are providing educators from eligible countries with exemplary curriculum and teacher training programs in civics and government, and economic education developed in the U.S.; supporting programs for U.S. students reflecting the experiences of emerging constitutional democracies; and supporting the exchange of information concerning civics and government, and economic education among political, educational, and private sector leaders in eligible countries.

For the International Education Exchange program, there are authorized $10 million for FY 1995 and such sums as necessary for the period FY 1996-FY 1999. Half of the annual appropriation for the International Education Exchange program is for civics and government education activities; the other half is for economic education activities.

Title VII--Safe Schools

Title VII authorizes the Safe Schools Act of 1994. This Act authorizes the Secretary of Education to make competitive grants to LEAs; these grants may not be for more than 2 years or $3 million each. Eligible LEAs must serve areas with high rates of homicides by youth, youth referrals to juvenile court, youth under court supervision, school e..pulsions and suspensions, disciplinary referrals to alternative schools, or youth victimization by violence or crime. An LEA must also have serious school crime, violence, and discipline problems measured by other data. Priority in selecting LEAs is to be given to those showing strong local commitment to the activities to be supported by these funds. The authorized appropriation level for the Safe Schools Act is $50 million for FY 1994 only.[21]

In its application, an LEA must, among other requirements:

- assess current violence and crime problems in the schools and community;
- assure that the LEA has written school safety and discipline policies; and
- explain how these funds will be coordinated with any federally funded education improvement plan, and how its activities will be integrated with the LEA's plan for drug and violence prevention under the Drug-Free Schools and Communities Act of 1986 and programs supported under the Juvenile Justice and Delinquency Prevention Act of 1974.

---

[20]These are Central European countries, Eastern European countries, Lithuania, Latvia, Estonia, Georgia, the Commonwealth of Independent States, and any country recognized by the United States that was formerly a republic of the Soviet Union.

[21]Other legislation under consideration by the 103rd Congress is intended to authorize similar activities for future years.

Second-year funding is dependent upon a funded LEA providing the Secretary with a comprehensive, long-term school safety plan.

Authorized Activities. Recipients of title VII funds must use them to, among other specified activities:

- assess violence and discipline problems;
- determine needed changes in its operations and facilities to reduce violence;
- coordinate programs with law enforcement, judicial, and social service agencies;
- train school personnel;
- implement violence prevention activities;[22]
- implement innovative curricula to prevent violence and train staff;
- support "safe zones of passage" for students between home and school;
- install metal detectors and hiring security personnel; and
- reimburse participation of law enforcement agency personnel in school activities.

Not more than 5 percent of an LEA's grant may be used for the last three activities listed above; funds can be spent on those activities only if other Federal funding is not available for them. Not more than 5 percent of a grant may be used for administrative activities.

Secretary's Activities. The Secretary is authorized to reserve up to 10 percent of the annual appropriation for national leadership activities, such as research and program development, preparation of national video projects providing youth with models for conflict resolution, and peer review of LEA applications. The Secretary must also develop a written safe schools model that will enable schools to develop models addressing language barriers for full student participation. The District of Columbia is to be designated a national model city and receive **half** of the Secretary's reserved funds for a comprehensive school and youth violence program.

Title VIII--Minority-Focused Civics Education

This title authorizes the Minority-Focused Civics Education Act of 1994 under which the Secretary of Education awards grants for seminars in American government and civics to be offered to elementary and secondary school teachers who work with minority and Native American students. The authorized appropriation level is $5 million for FY 1995 and such sums as necessary for the period FY 1996-FY 1998.

Entities eligible to receive funding include SEAs, higher education institutions, State higher education agencies, or nonprofit organizations experienced in teacher training seminars in American government and civics education. The Secretary must give priority to applicants who, among other activities, will serve large numbers or concentrations of economically disadvantaged students and coordinate or conduct seminars on a national or multistate basis for several minority groups and Native Americans.

---

[22]These activities include conflict resolution, peer mediation, and alternatives to expulsion and suspension.

Title IX--Educational Research and Improvement

This title, to be cited as the Educational Research, Development, Dissemination, and Improvement Act of 1994, authorizes the research and development activities of ED. Only **major** activities authorized by the Act are described below.

Part A--General Provisions Regarding the Office of Educational Research and Improvement[23]

This new Act provides the authority for the Department's Office of Educational Research and Improvement (OERI) and repeals the section of the General Education Provisions Act which currently authorizes OERI. The legislation defines the mission of OERI as providing national leadership in increasing fundamental knowledge about education; promoting excellence, equity, and achievement of the National Education Goals; encouraging use of educational research to improve classroom practice; and gauging the condition of education.

The Assistant Secretary of Educational Research and Improvement is to implement a research priorities plan, in collaboration with the National Educational Research Policy and Priorities Board (see below). Under this plan, the Assistant Secretary is, among other activities, to identify disciplines and issues where education research and development needs to be undertaken, and consult with NEGP and others to identify national priorities for education improvement.

The Assistant Secretary, in consultation with the Board, is to develop standards for the conduct and evaluation of research by OERI. These standards are to require such activities as open competition for all funding; use of a peer review system by OERI; and periodic evaluation of the performance of all recipients of funds. The standards must be approved by the Board.

Part B--National Educational Research Policy and Priorities Board

This part establishes a National Educational Research Policy and Priorities Board within OERI. Among its responsibilities, the Board is to develop, collaboratively, the work priorities for OERI; approve the Research Priorities Plan; and approve research, development, and dissemination standards.

From the funds appropriated for the National Research Institutes (see below) and the National Education Dissemination System (also, see below), the Secretary is to use 2 percent or $1 million, whichever is less, to support the Board and the development of the Research Priorities Plan. No funds can be appropriated under these authorities for FY 1996 and beyond unless the Board has been appointed.

---

[23]Part A contains the authorization of appropriations for most of the OERI activities delineated in later parts of Educational Research, Development, Dissemination, and Improvement Act of 1994. These are described with their respective programs and activities.

Part C--National Research Institutes

Effective October 1, 1995, this part newly establishes five institutes within OERI to address research, development, demonstration, and evaluation activities in specific areas of education. There are to be National Institutes on:

- Student Achievement, Curriculum, and Assessment;
- the Education of At-Risk Students;
- Educational Governance, Finance, Policy-Making, and Management;
- Early Childhood Development and Education; and
- Postsecondary Education, Libraries, and Lifelong Learning.

The annual authorization for the National Institutes is $68 million for FY 1995. For subsequent years, the legislation identifies authorization levels for specific National Institutes. For the National Institute on Student Achievement, Curriculum and Assessment and the National Institute on the Education of At-Risk Students, the authorization is $60 million for FY 1996 and such sums as necessary for the period FY 1997-1999, to be divided equally between the two institutes. For the National Institute on Educational Governance, Finance, Policy-Making, and Management, the authorization is $10 million for FY 1996 and such sums as necessary for the period FY 1997-1999. For the National Institute on Early Childhood Development and Education, the authorization is $15 million for FY 1996 and such sums as necessary for the period FY 1997-1999. For the National Institute on Postsecondary Education, Libraries, and Lifelong Learning, the authorization is $15 million for FY 1996 and such sums as necessary for the period FY 1997-1999.

Field-Initiated Research. The Assistant Secretary must reserve at least 20 percent of the funds available to each Institute in FY 1996-1997, and at least 25 percent in FY 1998-1999, for field-initiated research. Field-initiated research is defined as any educational research where topics and methods are defined by researchers and not by the source of the funding.

Minority Researchers and Institutions. To support the National Institutes, the Assistant Secretary may undertake activities to increase the participation of minority researchers and institutions in education research and in the research activities of the Institutes. These minorities and minority institutions include women and members of specific minority groups including African Americans and Hispanics, as well as historically black colleges and universities, tribally controlled community colleges, and other institutions with large minority enrollment.

Research and Development Centers. Among other activities that the Assistant Secretary may undertake to support the National Institutes is the creation of Research and Development Centers established by higher education institutions, alone or in consortia with nonprofit entities, or by interstate agencies through compacts. These Centers are to be awarded not less than $1.5 million a year for a 5-year period, with renewal possible for another 5-year period.

Finally, from the funds appropriated for the National Institutes in any fiscal year, the Secretary is authorized to award a grant of up to $5 million for a period of up to 5 years for a State-by-State poll to determine how well recent high school graduates were prepared for higher education or employment.

Part D--National Education Dissemination System

Office of Reform Assistance and Dissemination. This part establishes within OERI the Office of Reform Assistance and Dissemination (ORAD) with responsibility for disseminating ED-supported research and information to schools, educators, parents, and policymakers. The Office is also to identify successful educational programs and disseminate them through electronic networks. At a minimum, the Office is to establish and maintain an electronic network that links each ED office, the National Institutes, the National Center for Education Statistics, the National Library of Education, and entities conducting ED-supported research, development, dissemination, and technical assistance. The network must be accessible through the Internet and the National Research Education Network.[24]

Educational Resources Information Center Clearinghouses. This part authorizes continuation of the ERIC system of 16 clearinghouses. These are to have, at a minimum, the functions and scope of the clearinghouses that existed prior to enactment of P.L. 103-227, and may prepare summaries of results from educational research and development, and provide information on exemplary education programs identified by the Assistant Secretary.

Authorization of Appropriations. The legislation authorizes $23 million for FY 1995 and such sums as necessary for the period FY 1996-1999 for ORAD, programs, and activities described above. Annually, not less than $8 million of these funds are to be used to implement the ERIC system.

Regional Educational Laboratories. This part provides for contracts for the establishment of Regional Educational Laboratories for research, development, dissemination, technical assistance, and promotion of systemic reform. Not fewer than 10, nor more than 12, are to be established in a networked system serving each region of the country. The current 10 regions can be expanded to support up to 2 more laboratories beginning in FY 1996, if the amount appropriated for the laboratories in FY 1996 exceeds the FY 1995 appropriation by at least $2 million. Each additional laboratory is to be funded at a level of at least $2 million a year. The annual authorization for Regional Educational Laboratories is $41 million for FY 1995 and such sums as necessary for the period FY 1996-1999. At least 25 percent of the annual appropriation for the Laboratories must be used for rural areas.

---

[24]For a brief description of Internet and the National Research Education Network, see: U.S. Library of Congress. Congressional Research Service. *Information Technologies in Elementary and Secondary Education: Background and Federal Policy Issues.* CRS Issue Brief IB93071, by James B. Stedman and Stephen Gould. Washington, updated regularly.

Goals 2000 Community Partnerships. This part establishes the Goals 2000 Community Partnerships Program under which competitive, 5-year grants are awarded for education and other services to be provided to the children and youth of specific communities. Not more than one grant can be made within a single congressional district. Grantees, to be known as **Learning Grant Institutions**, are to establish Goals 2000 Community Partnerships that must involve LEAs, higher education institutions, community-based organizations, parents, teachers, and business. Each Partnership must develop a comprehensive plan for educational improvement in a local community that, among other elements, must adopt the National Education Goals and be consistent with State and local improvement plans.

District Education Agents are to be appointed and are to assist the Partnership in implementing the community plan. These Agents are, among other activities, to disseminate information about successful education efforts and research; provide training to help teachers educate students who are at-risk, disabled, limited-English proficient, or from diverse cultural backgrounds; and encourage creation of integrated systems of service delivery for children and youth, and their families.

For the Goals 2000 Community Partnerships, the authorization of appropriations is $30 million for FY 1995, $50 million for FY 1996 and such sums as necessary for FY 1997 and FY 1999.[25]

Teacher Research Dissemination Demonstration Program. This part authorizes the Teacher Research Dissemination Demonstration Program under which the Secretary of Education supports projects demonstrating effective strategies to increase urban and rural precollege teachers' knowledge and use of educational research. Funds can be awarded to public or private entities such as higher education institutions, regional education laboratories, the research and development centers, or consortia of these entities. The authorization of appropriations is $20 million for FY 1995 and such sums as necessary for the period FY 1996-1999 for the Teacher Research Dissemination Demonstration program.

Part E--National Library of Education

This part establishes a National Library of Education within ED. The Library is to offer a central location with the Federal Government for securing information about education; provide comprehensive reference services to Federal employees, ED contractors and grantees, and the public; and encourage more cooperation among entities providing and collecting education information.

Part F--Star Schools

This part amends the Star Schools Assistance Act (Title IX of the Education for Economic Security Act) to provide that the amount reserved by the Secretary for independent evaluation is the **lesser** (prior law specifies the greater) of $500,000 or 5 percent of the annual appropriation.

---

[25]The statute does not authorize funding for Goals 2000 Community Partnerships for FY 1998.

Part G--Office of Comprehensive School Health Education

This part amends the authorizing language for Programs for the Improvement of Comprehensive School Health Education (Secretary's Fund for Innovation in Education, title IV, ESEA) to provide that the Office of Comprehensive School Health Education may be established within the Office of Elementary and Secondary Education, rather than the Office of the Secretary as provided in prior law.

Part H--Field Readers

This part amends the Department of Education Organization Act to permit the Secretary of Education to use up to 1 percent of the funds appropriated for any education competitive grant program for non-Federal peer reviewers.

Part I--Amendments to the Carl D. Perkins Vocational and Applied Technology Education Act

This part amends the Perkins Vocational and Applied Technology Education Act to address data needs on postsecondary employment and training.

Title X--Miscellaneous

Part A--Miscellaneous Provisions

School Prayer. The statute provides that no State or LEA may use P.L. 103-227 funds to adopt policies preventing voluntary prayer and meditation in public schools.

Funding for Individuals with Disabilities Education Act. The statutes states that it is the sense of the Congress that the Federal Government should adequately fund the Individuals with Disabilities Education Act "as soon as reasonably possible" by reallocating **noneducation** funds.

National Board for Professional Teaching Standards. The Higher Education Act is amended to provide that Federal contributions to the National Board can be matched, on a dollar-for-dollar basis, with non-Federal funds that are used for various designated activities, such as outreach, implementation and administration, that differ from the activities for which the Federal contributions are made. Prior law required that the non-Federal match had to be used for the specific activities authorized for the Federal funds--research and development directly related to generating teacher assessment and certification procedures.

Forgiveness of Chapter 1 Overpayments. This provision specifies that the FY 1993 allocation to Colfax County, New Mexico for basic grants under the Chapter 1 compensatory education programs authorized by ESEA is to be considered the allocation authorized by law. As a result of this provision, Colfax County will not have to repay the overpayment it received.

Study of Goals 2000 and Students with Disabilities. The Secretary of Education must, within 180 days of enactment of P.L. 103-227, arrange for a comprehensive study regarding the inclusion of disabled students in school reform supported by this legislation. This study is to be undertaken by either the National Academy of Sciences or the National Academy of Education. Among the issues to be considered by this study are the necessary or desirable ways to measure the progress of disabled children toward the National Education Goals and educational standards; and how the Goals 2000 statute relates to other Federal laws affecting the education of disabled children. The Secretary is authorized to use $600,000 for FY 1994 and such sums as necessary for FY 1995 to support this study. These funds are to be taken from amounts otherwise available for research on the education of disabled students.

Amendments to Summer Youth Employment and Training Program. The statute amends the Summer Youth Employment and Training Program authorized under the Job Training Partnership Act to (1) add "academic enrichment" as an authorized service; (2) require that youth assessed as needing basic and remedial education, or preemployment and work maturity skills training, be provided such education and training; (3) require service delivery areas (SDAs) to establish linkages with educational agencies; and (4) authorize governors to allow SDAs to transfer up to 20 percent of their Summer Youth Employment and Training funds to their Youth Training programs.

Protection of Pupils. The General Education Provision Act is amended by rewriting Section 439--Protection of Pupil Rights to provide that all instructional and supplementary materials, used in connection with surveys, analyses, and evaluations that are part of ED programs, must be made available to parents or guardians of children involved in those programs. Further, the new language provides that no students can be required to participate in such activities if they reveal specific information, such as political affiliations, potentially embarrassing psychological problems, and sexual behavior and attitudes, without prior consent of a student who is an adult or an emancipated minor, or the **written consent** of the parent of an unemancipated minor. The Secretary is required to take appropriate action to enforce these provisions, and must establish an office and review board to address violations. Prior law limited similar prohibitions to materials and activities related to research and experimentation programs exploring new or unproven teaching approaches.

Contraceptive Devices. The statute provides that the Departments of Education and Health and Human Services are to ensure that all federally funded programs, under which contraceptives are distributed to unemancipated minors, must develop procedures to encourage family participation, to the extent practical.

Prohibition Against High-Stakes Use of Assessments. This provision prohibits any funding under title II of P.L. 103-277 being used for assessments affecting students' graduation, grade promotion, or retention for a period of 5 years following enactment of the legislation. Assessments developed with title III funds may be used for such high-stakes consequences only if students have been prepared in the content being assessed.

Use of Funds Only for Public Schools. With the exception of the provisions in title III concerning information dissemination to private schools and training of private school teachers and administrators, none of the funds under title III can be used to directly or indirectly benefit any school other than a public school.

National Assessment of Educational Progress Activities. The Carl D. Perkins Vocational and Applied Technology Education Act is amended to authorize an SEA or a consortium of SEAs to use National Assessment of Educational Progress (NAEP) data to evaluate vocational education courses of study. Only one such authorization a year can be made; the use of the NAEP data and any effects on the NAEP must be evaluated.

Buy American. A statement of the sense of the Congress is included that states, among other provisions, that entities spending funds appropriated under this legislation will comply with designated sections of the Buy American Act and that equipment and products purchased with funds under P.L. 103-227 be American made.

Part B--Gun-Free Schools

This part is entitled the Gun-Free Schools Act of 1994. It amends the ESEA, inserting a new title VIII that provides that no ESEA funds can be awarded to any LEA that does not have a policy requiring expulsion for at least 1 year of students determined to have brought a weapon to school. This expulsion requirement may be waived for students on a case-by-case basis.

Part C--Environmental Tobacco Smoke

This part, entitled the Pro-Children Act of 1994, prohibits smoking in any indoor facility utilized to provide routine or regular kindergarten education, elementary education, secondary education, or library services to children, if such services are directly or indirectly funded by the ED or the Department of Health and Human Services. Clinics funded under the Child Nutrition Act of 1966 by the Department of Agriculture are covered, as well as programs operated in federally supported facilities. Health programs funded solely under titles XVIII and XIX of the Social Security Act are not covered. These prohibitions against smoking become effective 90 days after the Secretary of Health and Human Services publishes a notice in the *Federal Register*, or 270 days after enactment of P.L. 103-227, whichever comes first.

Part D--Midnight Basketball League Training and Partnership

This part, entitled the Midnight Basketball League Training and Partnership Act, amends the Cranston-Gonzalez National Affordable Housing Act to authorize the Secretary of Housing and Urban Development to award matching grants for establishment of basketball leagues, operating generally between 10 p.m. and 2 a.m. These leagues must serve the youth and young adults in neighborhoods with substantial problems involving drugs, crime, HIV infection or sexually transmitted diseases, adolescent pregnancy or births, youth and young adult unemployment, or dropping out of high school. A neighborhood must have problems in at least two of these areas. At least half of the

players in a league must be residents of federally assisted low-income housing or from low-income families.

For implementing midnight league basketball programs, the authorized annual appropriation is $2.65 million for each of FY 1994 and FY 1995. For technical assistance to help entities establish and operate such programs, the authorized annual appropriation is $100,000 for each of FY 1994 and FY 1995.

FY 1994 AND FY 1995 AUTHORIZATIONS OF APPROPRIATIONS FOR P.L. 103-227

The following table identifies the FY 1994 and FY 1995 authorizations of appropriations for specific programs and activities included in P.L. 103-227. The entry "n/a" indicates that no authorization is provided for that particular year. The entry "ssan" indicates that the authorization level is such sums as may be necessary.

Several of these programs received FY 1994 appropriated funds. These include: title II ($3 million for NEGP and $2 million for NESIC), title III ($87.4 million for State systemic reform grants, $4.6 million for national leadership activities administered by the Secretary of Education, and $5 million for technology planning), title V ($3 million for NSSB), and title VII ($20 million for safe schools assistance). In addition, research activities at OERI, authorized under prior law, received $78 million in FY 1994.

TABLE 1. FY 1994 and FY 1995 Authorizations of Appropriations

	FY 1994	FY 1995
Title and Program	**Authorization**	**Authorization**
Title II--National Education Reform Leadership, Standards and Assessments		
National Education Goals Panel	$3,000,000	ssan
National Education Standards and Improvement Council	$3,000,000	ssan
Opportunity to Learn Development Grants	$2,000,000	ssan
Assessment Development and Evaluation Grants	$5,000,000	ssan
Title III--State and Local Education		
Systemic Improvement	$400,000,000	ssan
State Planning for Technology Integration	$5,000,000	n/a

TABLE 1. FY 1994 and FY 1995 Authorizations of Appropriations--continued

Title and Program	FY 1994 Authorization	FY 1995 Authorization
Title IV--Parental Assistance	n/a	ssan
Title V--National Skill Standards Board	$15,000,000	ssan
Title VI--International Education Program		
Comparative Analyses	n/a	$1,000,000
International Education Exchange	n/a	$10,000,000
Title VII--Safe Schools	$50,000,000	n/a
Title VIII--Minority-Focused Civics Education	$5,000,000	ssan
Title IX--Educational Research and Improvement		
National Research Institutes	n/a	$68,000,000
Education Dissemination (Including ERIC)	n/a	$23,000,000
Regional Educational Laboratories	n/a	$41,000,000
Goals 2000 Community Partnerships	n/a	$30,000,000
Teacher Research Dissemination	n/a	$20,000,000
Midnight Basketball League--implementation	$2,650,000	$2,650,000
Midnight Basketball League	$100,000	$100,000
TOTAL*	$490,750,000	$195,750,000

*Total of specific authorizations of appropriations.

REFORM ISSUES

This concluding section provides analysis of three issues related to the education reform provisions in Goals 2000 that were the focus of extensive congressional debate:

- systemic reform and alternatives;
- unfunded Federal mandates and Federal control over education; and
- OTL standards.

Each of these is considered separately below. Analysis of a fourth set of issues, regarding the conditions necessary for success of Goals 2000, concludes this section.

Systemic Reform and Alternatives

The debate over how to reform the Nation's schools has often pitted different reform strategies against each other, and the congressional debate over Goals 2000 was no exception. Although many of the provisions in Goals 2000 promote systemic statewide education reform, a number of other competing or complementary reform strategies are also supported by the new legislation. Systemic reform and some of the other reform strategies are considered below.

Systemic Reform

The basic concept behind systemic reform is that action to reform education should be guided by sets of agreed-upon educational goals and standards at **each level** of governance (national, State, local) in the education system. These reform actions should occur simultaneously. The key features of systemic reform are:

- ambitious educational goals and expectations should be established that apply to **all children**;

- curricular frameworks or content standards should be established, derived from the goals;

- high quality instructional materials and curricula supporting the content standards should be available in all schools for all children;

- standards for student performance relative to the content standards and assessment systems should be established--these should be based directly on the content standards; employ a variety of techniques and measures; be fair, reliable, and valid; and be capable of measuring progress toward the performance standards;

- professional development programs should be provided to enable teachers, administrators, and other school staff to master the standards-based curricula and develop effective ways of instructing effectively all pupils; and

- flexibility and control should be given to local school districts and schools to enable educators to help students achieve the standards, while system administrators should hold localities accountable for achievement outcomes.

Several States are currently attempting to adopt one or more elements of this systemic reform strategy, such as Kentucky which, in response to a State Supreme Court ruling on its school finance system, has overhauled its entire system for elementary and secondary education. In addition, Federal support has been supplied to national activities involving development of curriculum content standards in the major subject areas. These efforts are being directed by professional groups of subject matter specialists, who are attempting to reach a broad-based, national consensus about the standards. To date, curriculum standards have been developed in final form in only a few subjects, including mathematics, through work of the National Council of Teachers of Mathematics (NCTM).

National efforts to create new assessments are also in progress. Although there have been proposals for development of a single, national examination, most work is proceeding on the assumption that a **system** of different assessments administered at the State or regional levels would be created. Some have argued that the federally funded National Assessment of Educational Progress (NAEP), the only current testing program of national achievement among elementary and secondary students, should be the linchpin of any national system to assess progress toward the Goals. Debate over NAEP has centered on whether basing an assessment system for students and schools on NAEP would so closely involve the assessment in shaping the curriculum and instruction, including "teaching to the test," and so raise the stakes for performing well on the assessment, that it could no longer function as an **independent** measure of actual student performance.

Debate about systemic reform and the various State and National efforts to implement it has centered on several issues. Concern has been raised by some observers that challenging education standards and assessments linked to those standards could have adverse consequences for disadvantaged and minority students. This, it is argued, would be particularly possible if educational opportunities, such as graduation from one level of education to another, were made contingent upon successful performance on these assessments. Federal interest in preventing such adverse consequences is likely to be high given that the Federal Government has traditionally sought to ensure educational opportunities for low-income, minority, and other disadvantaged student populations. The legislative consideration of OTL standards is directly related to this concern and is considered separately below.

Another concern has centered on whether there is currently the capacity to design and administer assessments that measure the full range of outcomes called for by new goals and standards, and how the Federal Government might help build or strengthen that capacity. Integrating Federal education programs with the goals- and standard-setting efforts currently underway in States and localities is still another issue. In the context of reauthorizing the ESEA, some have suggested, for example, that a system of curricular standards and assessments could be the framework for holding schools, LEAs, and SEAs that benefit from these Federal education programs accountable for student outcomes.

Finally, some opponents have argued that systemic reform, unlike a reform strategy such as school choice, is unlikely to change the system sufficiently to achieve high standards because the existing education bureaucracies, with a vested interest in the status quo, are responsible for implementing this reform. Without substantial restructuring of system governance, or creation of avenues to reform that avoid bureaucratic barriers, it is argued that true system reform will be thwarted.

School Choice, Model Schools, and Other Strategies

Among the other strategies that were strongly supported during the legislative debate on Goals 2000 were school choice and creation of model schools. These and other strategies are considered below.

School Choice. School choice is a reform strategy widely promoted, debated, and adopted by States, often as an alternative to the kinds of reform activities embraced by systemic reform.[26] Supporters assert that, by providing parents and students with a publicly-financed opportunity to choose schools, they will be empowered and much more involved in the educational process. Further, according to proponents, choice creates a marketplace wielding a strong accountability weapon against inferior schools. Proponents argue that choice enhances equity by enabling parents with limited resources to select good schools for their children, an option open now only to parents financially able to pay private school tuition and fees or to move into another school district or attendance area.

Choice programs limited to **public** schools appear to have a broader base of support than do programs open to private school enrollment. Proponents of private school choice programs contend that it is only fair for choice participants to have access to private schools, because families with sufficient resources have private education as an option. Further, proponents assert that private schools are more educationally effective and efficient, and the availability of a private school option would provide greater competition for ineffective public schools. They also argue that including private schools does not violate the U.S. Constitution because such a program would not support enrollment at **only** private, sectarian schools, and would provide financial support to parents for the benefit of their children, not for the benefit of sectarian institutions.

Opponents focus on the threat to educational equity posed by choice. They argue that greater segregation of pupils by race, ethnicity, and socioeconomic status is likely to arise because choice programs generally do not provide the required attention to, and financing of, information dissemination, transportation, and monitoring of the effects of choice. Concern is raised about the consequences for students left in failing schools, as more active and informed parents choose to move their children from them. Opponents assert that attention to choice deflects resources from more fundamental issues such as school finance equity and improving the quality of all schools. Including private schools, according to opponents, would siphon resources from public schools, and violate the

---

[26]U.S. Library of Congress. Congressional Research Service. *School Choice in 1993: Status and Issues*. CRS Report for Congress No. 93-1059 EPW, by James B. Stedman. Washington, 1993.

establishment of religion clause of the First Amendment of the U.S. Constitution because it would support sectarian schools.

Some policymakers also argue that, whatever the benefits of school choice, it will not provide the scope of educational improvement required nationwide. Choice, they assert, offers no assurances that **all** children will attain high performance standards as they navigate through, or are affected by, the choice process.

Model or Lighthouse Schools. Some reform advocates propose supporting **model** or **lighthouse** schools that would display the process and effects of education reform in individual classrooms or school sites. The expectation is that model schools or programs would inspire imitation by other schools. Further, supporters posit that reform at the level of the individual school is most needed and will directly affect the performance of students. There is concern that systemwide reform offers a broad strategy that still leaves individual schools and districts to contend with the mechanics of restructuring their educational processes. Model school projects would, it is argued, provide these localities with tested exemplary approaches to reform at school or district sites.

Part of President Bush's AMERICA 2000 proposal called for creation of a privately funded New American Schools Development Corporation (NASDC).[27] NASDC was created and is currently supporting the development, evaluation, and implementation of several school reform models. Direct Federal legislative support for implementation of the NASDC models, as envisioned in AMERICA 2000, has not been forthcoming. Nevertheless, LEAs could establish schools based on these model with their local reform subgrants funds under title III of Goals 2000. However, it is still too soon to gauge the impact of these models on school reform efforts across the country.

Opposition to embracing the model school approach as **the** primary reform strategy to achieve National Education Goals has arisen from concern about whether school-based reform can be sustained and replicated without change in, and support from, the educational systems at the local and State educational agency levels. This argument focuses on the potential that reform efforts at schools will be isolated or undone by uncooperative or hostile policymakers higher up in the educational system.

Alternative Management--Privately Managed Public Schools and Charter Schools. In several school systems across the country, most notably Baltimore City and Minneapolis, public school authorities have turned to private firms to manage schools.[28] Generally, these efforts involve payment to the private firm of an amount per student in privately managed schools that is reportedly no more than the average per pupil expenditure in the district, and the granting of significant flexibility in the management of their schools; in return, the private firm agrees to be held accountable for achievement of specific student achievement gains over a period of time.

---

[27]U.S. Library of Congress. Congressional Research Service. *AMERICA 2000: The President's Education Strategy*. CRS Report for Congress No. 91-430 EPW, by James B. Stedman. Washington, 1991.

[28]See, for example: Private Management of Public Schools. *Congressional Quarterly*, Mar. 25, 1994.

Charter schools, supported by law in such States as Massachusetts, California, and Minnesota, are public schools run by different groups of individuals, such as teachers, principals, and parents, under charters negotiated with local or State education authorities. These charters, like the agreements with private management firms, establish a set of educational outcomes to which the charter groups will be held accountable in exchange for a relaxation of State and local regulations, and control over such elements as school budgets, curriculum, and instructional approaches.

Proponents of these alternative management arrangements contend that they free up local schools or school systems to engage in innovative and creative reform without the stifling influence of school bureaucracies over management and instruction. Further, it is argued that they introduce an educational and cost efficiency through the outcome accountability they establish for the private management firms or the charter groups.

Opponents counter that public authorities inappropriately reduce their responsibility for the educational process under these arrangements. If, as some proponents contend, this approach is a way of diminishing the power of educational bureaucracies or reforming their procedures, some question why policymakers who are in charge of the educational system are unable to address the shortcomings of the educational bureaucracy directly. Opponents argue that accountability may be applied too infrequently to ensure that students continue to receive appropriate services and make educational progress. Further, they ask, if the administrative flexibility provided under these arrangements is truly beneficial for the educational process, why it is only selectively provided?

Goals 2000

Goals 2000 essentially embraces several of the reform strategies simultaneously while devoting significant attention to systemic reform. This mix of reform efforts may be appropriate given the strong arguments that were made during the legislative process on behalf of the different approaches. Further, incorporating various reform strategies avoids embracing a single reform for Federal support when States and localities are already implementing many different reforms.

As has already been delineated, Goals 2000 authorizes a formula grant program to support State systemic reform by financing development of State reform plans addressing such elements as teaching, learning, assessments, opportunity to learn, parental and community support for reform, and education management. Goals 2000 requires that a State plan include a process for developing content and performance standards; a process for developing State assessments; a process for aligning curricula and assessments with State content and performance standards; and a process for acquainting teachers with the State standards.

Other reform approaches are also supported through the State reform process. For example, the legislation focuses a substantial portion of its funding on reforms at **individual** schools, a feature reflecting the debate over model school reform efforts. Federal funds move down expeditiously from the State level. In the first year of State funding, 60 percent of the State allotment will be used for local reform and professional

development subgrants. In subsequent years, 90 percent of each State's allocation must be awarded by the State in subgrants. In the initial year that localities receive local reform subgrants, Goals 2000 requires that LEAs direct at least 75 percent of these funds to individual schools. This percentage rises to 85 percent in the second and subsequent years.

The new law also provides that one of the activities for which States would be authorized to use their systemic reform grants would be **public** school choice, including magnet and charter schools.[29] The law also provides that States can use systemic reform funds for activities related to planning and evaluating LEA efforts to contract with private management organizations to reform individual schools.

Unfunded Federal Mandates and Federal Control Over Education

A key criticism of the legislation that became P.L. 103-227 during its congressional consideration was that it mandated action by States and localities that was costly, without the promise of Federal funding to meet this expense. This objection to Goals 2000 was particularly directed to the OTL standards (given the intensity of the debate on these standards they are considered in some detail in a separate subsection below). It was coupled with concern that the process of setting National Education Goals and national standards for curriculum, student performance, and OTL would inexorably lead to a nationalizing of public elementary and secondary education in the United States, and to direct Federal control over education, perhaps by tying State and local participation in current Federal education programs to adoption of these standards.

These criticisms and concerns may have been targeted so strongly at Goals 2000 because the legislation, in some of its provisions, departs from conventional Federal education legislation by calling for a different Federal role in elementary and secondary education. Traditionally, the primary responsibility for public elementary and secondary education has rested with States, with the actual administration of schools directed at the local school district level. Thus, such aspects of elementary and secondary education as the content of curriculum, the nature and extent of teacher professional development, State and local accountability, the general assessment of students' progress, and initiatives to reform all schools, typically, have not often been matters of substantive Federal attention. Rather, in the last three decades, perhaps **the** key Federal role has been that of supporting the education of special populations of students, such as minorities and the disabled, to provide them with equal educational opportunity.[30]

---

[29]The legislative proposals for reauthorizing the Elementary and Secondary Education Act (H.R. 6 and S. 1513) currently under consideration by the 103rd Congress contain a new program of Federal support targeted specifically at development and implementation of charter schools.

[30]The Federal Government has departed from its typical role in moments of crisis, such as the launching of the Sputnik satellite by the Soviet Union which sparked substantial Federal funding directed at improving mathematics and science instruction at the precollege level. Some would argue that the country's educational system faces a challenge equal to, or greater than, the one confronted in the late 1950s and early 1960s.

Some of the systemic reform provisions in Goals 2000 are a departure because the principal focus is on the broad sweep of education for all students, addressing curriculum content, student performance, professional development, assessment, matters of governance, among aspects of the educational process.[31]

Significantly, Goals 2000, even in its earlier versions, sought to distinguish Federal **support** for the process of developing and adopting National Education Goals, standards, and assessments, from Federal **control** over goals, standards, and assessments. Further, the legislation did **not** propose that a single set of goals, standards, and assessments should be uniformly implemented in all schools throughout the country. These attributes of the legislation did not satisfy its critics. OTL standards were structured under the legislation, as finally enacted, to remove **any** obligation for such standards to be developed (strategies could be developed, instead), or for such standards or strategies to be implemented at the State level.[32] In the legislative process, efforts to address concerns about the potential for unfunded Federal mandates, or Federal direction of State and local education, led to a relatively large number of separate assurances or prohibitions being added to the legislation. For example, in various places, P.L. 103-227 states that:

- no State will be required, as a condition of participation in any Federal education program, to have any of its standards or assessments certified or to have received assistance under the State systemic reform title of the legislation (section 213(h)(1));

- no provision of the Act can be construed as authorizing any Federal mandates or direction of specific aspects of education at the State, district, or school levels (section 318);

- nothing in the Act creates a legally enforceable right for a person against a State, local school district, or school based on certified standards and assessments (section 213(h)(2)); and

- the language concerning the State OTL standards and strategies, and other standards adopted by States, cannot be construed as mandating spending equalization per student at the State, district, or school level, or mandating national school building standards for States, districts, or schools (section 306(d)(3)).

Many of these same battles over Federal mandates and control have been joined during consideration of the legislation to reauthorize the ESEA (H.R. 6 and S. 1513). At the same time, some provisions included in the House and Senate bills establish some

---

[31]Even in the systemic reform provisions, attention to the educational needs of special populations remains evident because substantial portions of the systemic reform funding is directed to the neediest school districts and schools.

[32]At the same time, by authorizing funding for national OTL standards under the legislation, there may be the expectation that the national standards will prove sufficiently attractive to States, or OTL proponents in States, to lead to their adoption by States.

linkage between the ESEA programs and standards implemented under Goals 2000. At a minimum, it appears that the process of applying and participating in some ESEA programs will be easier if a State is participating in Goals 2000.

Opportunity to Learn

Background

OTL standards, the focus of heated debate during the legislative action on Goals 2000, are sufficiently controversial in their own right to be considered separately from the general discussion above on Federal mandates. Proponents of these standards argue that it is inequitable to hold students accountable for their performance without ensuring that their educational institutions have the capacity to educate them to the level of achievement called for by student performance standards. The assumption underlying the OTL standards is that some students and some school systems will not be able to reach or make adequate progress toward the student performance standards without substantial help. These concerns appear focused primarily on the impact of setting high student performance standards on low-income and minority students, who generally score lower on educational achievement assessments than their higher income and majority counterparts.[33]

Critics of OTL standards often raise concerns about the burdens such standards might impose. For example, cost burdens could be high if the standards substantively addressed school finance equity issues. It is argued that OTL standards, generated and enforced nationally, could significantly circumscribe State and local control of education by imposing requirements and restrictions on State and local decisions concerning such elements of an educational system as funding allocations, development and selection of curricula, and teacher training.

The concept of OTL standards was connected to national and State standards by the National Council on Education Standards and Testing (NCEST) in *Raising Standards for American Education*.[34] NCEST called for States to develop OTL standards (cited in the NCEST report as "school delivery standards") in a collective effort by the States; individual States would choose those parts of the standards they considered appropriate for gauging the capacity of their schools to provide the OTL. NCEST considered such standards to be a matter of equity:

> "All students must have the opportunity to achieve [the curriculum content standards] and to be assessed fairly on their attainment. To bring this about, equitable educational opportunities must be provided."

---

[33]See, for example: U.S. Department of Education. National Center for Education Statistics. *Trends in Academic Progress*. Washington, 1991.

[34]National Council on Education Standards and Testing. *Raising Standards for American Education*. Washington, 1992. NCEST was established by the Congress (P.L. 102-62) to explore standards and assessment issues in anticipation of Federal legislation.

Legislative Debate

The legislative debate on OTL standards in the 103rd Congress focused on three aspects of these standards:

- the conditions necessary to provide an OTL;
- the entities that should establish such standards; and
- the process of implementing and enforcing them.

Necessary Conditions. Defining what should be encompassed by the OTL standards raised concerns about the sweep of these standards and how precisely they should be defined. OTL standards potentially could address such elements as the quality of educational facilities, the availability of technology and laboratories, the alignment of the curriculum and curricular materials to high content standards in different subject areas, and the ability of the teaching force. Determining the appropriate elements for OTL standards is a complex process, involving debate over what conditions are necessary to provide this opportunity, whether conditions may vary across the country because of factors such as geographic region or type of student being educated, and what the potential cost of meeting such standards will be.

This last concern is particularly focused on the issue of school district financing and differences in per pupil funding among districts. States are currently grappling with school finance questions, with recent court suits challenging school finance systems having been filed in more than one-half of the States. In general, these suits charge that State school finance systems rely upon local property and other taxes to such an extent that pupils in LEAs with relatively few taxable resources are seriously disadvantaged.

Establishment. During the legislative debate, the question of what entities should establish OTL standards centered on the role of the States in this process. As has been indicated, NCEST stated that OTL standard setting and enforcing should be an activity of States. The National Governors' Association (NGA) supported this position, arguing that this was appropriate given the responsibility States have for education in general. Policymakers who supported States having the primary role in this process often warned against the Federal Government establishing these standards, apparently from concern that Federal control over education, possibly including influence over the allocation of State and local funds for education, would follow (see separate analysis above on Federal mandates and control). Those asserting that OTL standards should be set and enforced nationally, if not federally, countered that States were likely to adopt minimal OTL standards given the potential burden that rigorous OTL standards might create.

Significantly, the legislative proposals considered by the Congress regarding OTL standards explicitly authorized a **national**, not Federal, process for establishing OTL standards. Nevertheless, it would appear that this distinction was not sufficient for those opposing national OTL standards.

Implementation. Directly related to the question of who sets the standards is the matter of how they are to be applied. Part of the legislative deliberation over Goals 2000

involved consideration of whether the standards would be voluntary for States or whether they would be mandated, with consequences for failing to achieve them. In light of the potential costs and difficulty of achieving broad OTL standards, there was concern that mandating achievement of the standards would, in addition to creating an overwhelming burden for States, serve to delay development and application of content standards, student performance standards, and assessments. Attention was also focused on the possibility that participation in major Federal education programs, such as the multi-billion dollar Chapter 1 program of compensatory education for disadvantaged students, would at a future date be made contingent upon development, adoption, implementation, and achievement of these standards.[35]

Late in the debate over Goals 2000 and during floor action on the House version of legislation to reauthorize the ESEA, an alternative construction for OTL standards was considered. A few States, exploring different approaches to OTL standards, are experimenting with using the standards as **guidance** for State and local action on behalf of school districts and schools that fail to bring their students up to adequate student performance levels.

Treatment in Goals 2000

Generally, the Congress responded to the debate over OTL standards by eliminating any mandates for States regarding OTL standards. The Congress agreed to require that States adopt OTL standards or **strategies** and made **implementation** of such State standards or strategies strictly voluntary. With regard to individual States and localities, the House version of Goals 2000 required each State reform plan to include a strategy for establishing OTL standards, as well as have procedures for ensuring that every school and school district reaches the State's OTL standards and curriculum content standards within the time period specified in the plan. In contrast, the Senate version had no requirement that a State set OTL standards of any kind; it required that the State plan establish strategies to provide all students with an opportunity to learn. The legislative resolution appears to stem, in part, from a perception that "standards" are more likely to impose heavy demands on States and localities than are "strategies."

Although the new law does fund development of **national**, voluntary OTL **standards** through a NESIC-administered grant program, supporting one or more consortia of relevant organizations, there is no required link between the national standards and any State OTL standards. Under the law, States are **not** required to adopt national OTL standards, nor do OTL standards that States might voluntarily adopt have to be submitted to, or be certified by, NESIC.

Conditions for Success

The success of the systemic reform efforts supported by Goals 2000 may depend upon a host of conditions. The State education policymakers and others now engaged in

---

[35]In addition to Goals 2000 issues, this has been a source of debate by the 103rd Congress over the legislation to reauthorize the ESEA. See: U.S. Library of Congress. Congressional Research Service. *Education: Reauthorization of the Elementary and Secondary Education Act*. CRS Issue Brief IB93106 coordinated by Wayne Riddle. Washington, updated regularly.

systemic reform have already discovered how complex the reform process is.[36] In addition, vocal opposition has been mounted against some State and local reform efforts that involve goal- and standard-setting processes, and that base student progress through the educational system on successful achievement of those goals and standards.[37] This concluding subsection briefly identifies a few of the issues that appear to be important for successful implementation of systemic education reform with Goals 2000 assistance.

Maintaining Broad Support. Given the systemwide nature of the reform efforts supported by the legislation, a key element would appear to be building and maintaining a broad based level of support for education reform, whether at the national, State, or local level. Without this degree of support, it is likely to be difficult to implement sustained reform in all of the different areas targeted by the legislation. Provisions within the legislation recognize this. For example, membership of the reform plan panels established at the State and local levels under title III is drawn from a wide array of groups and organizations, ranging from policymakers to parents.

Adequate Funding. Systemic education reform appears to be a relatively expensive undertaking. The costs of such activities as developing new curricula aligned with content standards or providing meaningful professional development opportunities to the Nation's teaching force are likely to be high. The extent to which Goals 2000 plays a substantive role in furthering reform efforts may depend, in part, on the level of Federal funding that will be provided under its authority. The Administration has requested $700 million for the reform portions of Goals 2000 for FY 1995, and has indicated that its funding requests will rise to $1 billion a year for future years. Nevertheless, if existing Federal education funds, such as those provided through the ESEA, are tied to efforts by States and localities to implement these reforms, the additional level of separately provided funds under Goals 2000 may become less critical to overall success of this effort.

Professional Development for the Teaching Force. One of the key components for systemic reform are classroom teachers and their content knowledge and pedagogical skills. Adoption of high content and performance standards coupled with assessment of student progress toward those standards offers no assurance that students will, in fact, learn the content upon which those standards are based. Professional development of the teaching force may well be the key to the success of this reform effort. As standards rise, teachers' knowledge and skills must also rise. Given that there are over 2.4 million teachers in public elementary and secondary schools, the task is formidable. The legislation authorizes support for professional development. For example, SEAs under the title III program are to make professional development subgrants. Support for expanded

---

[36]For an overview of the political impediments to systemic reform, see: Fuhrman, Susan. Politics and Systemic Education Reform. *CPRE Policy Briefs*, Consortium for Policy Research in Education, New Jersey, 1994. For a broad look at reform efforts currently underway and the challenges they face, see: Editorial Projects in Education. *From Risk to Renewal: Charting A Course For Reform*. Washington, 1993.

[37]Some aspects of some of these State reform efforts have been identified as "outcome-based education" (OBE), a label increasingly being used to target reform efforts for opposition. Opponents charge, for example, that the outcomes being developed involve the imposition of personal and social values on students, and that students will be held to minimal academic standards. In some instances, such opposition has prompted modification or rejection of some reform elements. For further information, see: Olson, Lynn. Who's Afraid of O.B.E.? *Education Week*, Dec. 15, 1993. p. 25-27.

professional development opportunities is also a substantive focus of the legislation to reauthorize the ESEA currently under consideration by the Congress.

Technical Challenges. Technically difficult challenges remain, particularly in the area of assessments. One of the most critical challenges is the development of assessments that can be used to gauge progress toward the standards and also inform educators, parents, and others about how to address educational deficiencies.[38] New, innovative assessments are being developed and implemented. Standards-driven education reform requires periodic, accurate measures of progress toward the standards. Development of such assessments is time-consuming, complicated, expensive, and not assured of success.

Time. The reform envisioned in the legislation is likely to take a substantial amount of time to accomplish, possibly extending well beyond the year 2000, the target date for the National Education Goals. At issue is whether sustained attention and support for the process will be maintained, particularly if some progress toward the Goals does not occur relatively quickly and clearly.

[38]See: U.S. Congress of the United States. Office of Technology Assessment. *Testing in American Schools: Asking the Right Questions*. Washington, 1992.